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Application Number	10/628,819
Filing Date	July 28, 2003
First Named Inventor	Walter L. Raines
Art Unit	3624
Examiner Name	Lalita M. Hamilton
Attorney Docket Number	Raines-003

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Firm or Individual	Kenneth L. Nash, Reg. No. 34,399	
Signature	<i>Kenneth L. Nash</i>	
Date	7/2/08	

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of §
Walter L. Raines § Examiner: Lalita M. Hamilton
Apln. No. 10/628,819 §
Filed: 07/28/2003 § Group Art Unit: 3624
For: RECEIPT PROCESSING § Atty. Dkt.: Raines-003
SYSTEM AND METHOD §

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APPELLANTS' REPLY BRIEF TO EXAMINER'S CORRECTED ANSWER

In response to the corrected Examiner's Answer in the present appeal mailed 4/3/08. A one-month extension fee is included herewith. This Reply Brief is being filed pursuant to Section 41.41.

REPLY

In light of the order from the Board dated February 27, 2008, entitled CORRECTED ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER, the Examiner has corrected the previously made rejection under 35 U.S.C. 103(a) over Ballard in view of Cruse in a corrected Examiner's Answer.

The rejection now applies to claims 2-4, 6-12, 15, 17, and 19-20.

Previously, claim 6 was not included, but should have been. Claims 13-14 were cancelled by Appellant and should not have been included in the rejection.

CHANGES DO NOT AFFECT ARGUMENTS.

It is respectfully submitted that the changes do not affect the arguments made by Appellant. Claim 6 was already addressed on page 26 of Appellant's Brief.

Although the heading on page 27 of Appellant's Brief lists claims 7-15, this should now be read claims 7-12, 15. The arguments regarding this rejection will be the same because they relate to the inadequacies of the cited prior art and the inadequacies of the proposed combination.

RELATED APPEALS

The Board may wish to be apprised that in the interim of the present appeal, another appeal to continuation application no. 11/120,811 was filed July 11, 07. The Examiner's Answer was filed June 4, 2008. Appellant will file a Reply in the near future.

BRIEF SUMMARY OF REJECTION OF CLAIM 1

With respect to the rejection under 35 U.S.C. 102(b) over Ballard, Appellant's arguments are also unchanged. Ballard does not show the claimed elements, as required to support the rejection.

Reviewing only the rejection of claim 1, the Examiner merely shows a similar looking ticket that includes machine-readable data, namely data glyphs. That is as far as the Examiner goes towards making the rejection, even though the claim requires much more than simply showing a ticket.

The Examiner fails to show evidence of what data is stored in the glyphs on the ticket. Claim 1 requires the data glyphs (machine-readable data) must include the credit card number and other specific information. Contrary to this, Ballard teaches that the data glyphs contain formatting information, which tells where human readable data is placed on the ticket. Ballard claims the formatting information makes for faster error corrections.

The Examiner does not address the method step of using the machine-readable data to organize and retrieve the stored ticket data. Instead, Ballard teaches using (1) OCR (optical character recognition) of the human readable data and uses that for retrieval, or (2) uses POS (point of sale) data that is entered into the cash register for retrieval when the clerk rings the charge up. Neither of these is the same as reading the machine readable data on the sales ticket, and using that machine read data for storage organization and retrieval.

Appellant respectfully traverses the rejection because Ballard does not show two elements of the claim. The Examiner fails to show either element, and does not even address the second element.

REMAINING CLAIMS

The rejections to the remaining claims are equally infirm for reasons discussed in Appellant's Brief and the first Appellant's Reply.

SUMMARY

Accordingly, Applicant believes that the application now stands in condition for allowance, and respectfully requests that all rejections be reversed.

Respectfully submitted,



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